

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

J&J SPORTS PRODUCTIONS, INC.,	:	
<i>Plaintiff,</i>	:	CIVIL ACTION
	:	
v.	:	
	:	
RUTHMIRA GIRALDO et al.,	:	No. 15-3101
<i>Defendants.</i>	:	

ORDER

AND NOW, this 10th day of November, 2015, upon consideration of J&J Sports Productions, Inc.’s (“J&J”) Motion for Default Judgment (Docket No. 13) and the accompanying affidavit (Docket No. 14), **it is HEREBY ORDERED that the Motion is GRANTED in part and DENIED in part such that:**

1. Default Judgment is **GRANTED** as to Defendant El Bochinche Restaurante, Inc. For its violation of 47 U.S.C. § 553(a)(1), El Bochinche Restaurante, Inc. is liable to J&J for a total sum of \$5,000 in statutory and enhanced damages under 47 U.S.C. § 553. This award is comprised of:
 - a. an award of \$1250 in statutory damages under 47 U.S.C. § 553(c)(3)(A)(ii) (\$800 for the foregone sublicense fee and \$450 for El Bochinche’s estimated profits) *and*
 - b. an award of \$3750 in enhanced damages under 47 U.S.C. § 553(c)(3)(B) (treble the statutory damages award).
2. Default Judgment is **DENIED** as to Defendant Ruthmira Giraldo.
3. **JUDGMENT is thus ENTERED** in favor of J&J and against El Bochinche Restaurante, Inc.

4. J&J is granted **leave to file a Motion for Attorneys' Fees and Costs no later than 21 days from the date of this Order.** In the Motion, J&J should address both

- a. the reasonableness of Mr. Riley's fees *and*
- b. the legal issue of whether the rule that "a judge [not] decrease a fee award based on factors not raised at all by the adverse party," *Bell v. United Princeton Props., Inc.*, 884 F.2d 713 (3d Cir. 1989), applies to the default judgment context.

BY THE COURT:

S/Gene E.K. Pratter
GENE E.K. PRATTER
United States District Judge